

2005

2005 Legislative Bill Summary

Assembly Committee on Human Services

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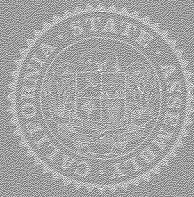


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**ASSEMBLY COMMITTEE ON
HUMAN SERVICES**

**2005
LEGISLATIVE BILL SUMMARY**

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NOREEN EVANS, CHAIR
ASSEMBLYMEMBER, SEVENTH DISTRICT

November 3, 2005

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November 3, 2005

2005 Legislative Report Assembly Human Services Committee

Noreen Evans, Chairperson

The Assembly Committee on Human Services has jurisdiction over programs and services designed to assist the state's most vulnerable populations – abused and neglected children, disabled persons, low-income families and the elderly. The Committee was busy in 2005 crafting public policies to improve the lives of California's disadvantaged residents while promoting efficiency and accountability in the delivery of social services. Its subjects included better services to foster youth aging out of the system, improved quality of child care providers, simplification of the complex public benefit system and enhancement of the rights of seniors in continuing care retirement communities. Of the 76 bills referred to the Committee, 32 passed the Legislature and 23 became law.

The Committee devoted much attention to the problems and concerns of the 80,000 children in the state's foster care system. Eleven bills on the subject were enacted into law. **AB 1633**, authored by Committee Chair Noreen Evans, addresses the serious problem of foster youth "aging out" of the system, some of whom are disabled and in need of income support after they leave foster care, and some of whom need support while they seek a high school equivalency certificate. The bill creates a process to develop best practices to identify foster youth with disabilities, and allows 18-year olds to retain assistance while they pursue their education.

Other bills dealing with foster care and child welfare services passed and signed into law include **SB 500 (Kuehl)**, which creates a new licensing category for pregnant and parenting foster youth to better permit mother and child to live together. The Governor also signed **AB 1116 (Yee)**, allowing foster parents to administer injections and emergency medical care (originally heard as **AB 1179**), **AB 1412 (Leno)**, allowing more foster children to identify an important adult as part of their case planning, and **SB 358 (Scott)**, permitting foster parents to hire short-term babysitters without the burden of obtaining fingerprint clearance from the Department of Justice.

Chairperson Evans authored three bills to assist low-income families obtain access to needed services to help them become self-sufficient. **AB 379** clarified the ability of CalWORKs parents to get needed welfare-to-work services to address employment barriers. Its contents were largely incorporated into the social services budget trailer bill, **SB 68 (Committee on Budget and Fiscal Review)**, signed by the Governor in July. **AB 1298** seeks to begin the process of streamlining and



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coordinating varying procedures and rules in the variety of public benefit programs serving the poor. It was held in the Senate Appropriations Committee to allow for further discussions with the Administration on possible compromises in 2006. **AB 368** will be the legislative vehicle to implement federal reauthorization of the Temporary Assistance for Needy Families (TANF) block grant. However, Congress has not yet enacted a reauthorization bill, and has extended the current block grant until the end of 2005.

The Committee considered a variety of other significant measures passed by the legislature and signed by the Governor. Legislation dealing with services to the elderly included **SB 244 (Romero)**, which establishes rights and an improved procedure to address transfers to higher levels of care for seniors living in Continuing Care Retirement Communities, and **SB 141 (Soto)**, requiring a total or partial refund of preadmission fees paid to a Residential Care Facility for the Elderly if a person does not enter the facility or leaves within three months.

The Committee approved two major bills designed to smooth the transition to community-based settings for persons with developmental disabilities after closure of Agnews Developmental Center in San Jose, and both were signed by the Governor. **AB 1378 (Lieber)** authorizes Agnews staff to continue as state employees while providing community-based services, and **SB 962 (Chesbro)**, establishes a new licensing category for facilities serving up to five adults with developmental disabilities who have special health care and intensive support needs.

Child care was also a subject of significance in the Committee. **SB 640 (Escutia)** continues funding to train child care providers and parents to better serve children with disabilities. It passed and was signed by the Governor. **AB 1565 (Pavley)**, authorizing a study to develop a quality rating system for day care facilities in California, however, was vetoed by Governor Schwarzenegger.

Finally, other significant bills approved by the Committee include **AB 855 (Bass)**, permitting CalWORKs parents convicted of felony possession of controlled substances to be eligible if they meet specified treatment requirements, and **AB 899 (Ridley-Thomas)**, authorizing up to six hours per year of paid training for In-home Supportive Services workers. Both of these were vetoed by the Governor.

The Committee also held a special informational hearing on the state's progress in delivering effective foster care and child welfare services in March, and in August convened a joint hearing with the Senate Human Services Committee on the state's plan for administering funding under the federal Community Services Block Grant.

A complete summary of bills considered by the Human Services Committee follows.

CHILD WELFARE SERVICES/FOSTER CARE

**AB 363 (Chu): Child and Family Service Review System.
Chapter 296, Statutes of 2005**

Legislative History

Assembly Human Services (6-0)
Assembly Appropriations (18-0)
Assembly Floor (74-0)
Assembly Concurrence (77-1)

Senate Human Services (6-1)
Senate Appropriations (S.R. 28.8)
Senate Floor (27-12)

Creates the Child Welfare Services Outcomes and Accountability Fund, requests an appropriation and requires the Department of Social Services (DSS) to establish a process for allocating the moneys for implementation of county program improvements.

- Establishes a fund consisting of money appropriated by the Legislature in the annual Budget Act.
- Creates a competitive grant process for counties to fund their System Improvement Plans which were created to make changes as recommended by a federal review and self-assessment.

**AB 628 (Strickland). Foster care givers.
Failed in Assembly Human Services; reconsideration granted; 2 year bill.**

Legislative History

Assembly Human Services (3-4) Failed Passage
Assembly Human Services (7-0) Reconsideration Granted

Provides that religious or moral beliefs of a foster parent do not render the foster or prospective foster parent ineligible to provide foster care.

**AB 824 (Chu). AFDC-FC benefits: transitional housing.
Chapter 636, Statutes of 2005.**

Legislative History

Assembly Human Services (6-0)
Assembly Appropriations (16-2)
Assembly Floor (77-2)

Senate Human Services (6-1)
Senate Appropriations (S. R. 28.8)
Senate Floor (34-2)

Raises the age from 21 to 24 for foster youth eligible for the Transitional Housing Placement Program.

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AB 863 (Bass). Child Welfare Council.
Not heard; 2 year bill.

Legislative History

Assembly Human Services (not heard)

Establishes the Child Welfare Council, to advise on the management of the multiple agencies that provide services to children and youth in contact with the courts and the child welfare and foster care systems.

AB 880 (Cohn). Dependent children.
Vetoed by the Governor.

Legislative History

Assembly Human Services (5-2)

Assembly Appropriations (13-5)

Assembly Floor (47-28)

Assembly Concurrence (72-6)

Senate Human Services (7-0)

Senate Appropriations (S. R. 28.8)

Senate Floor (28-8)

Required DSS in conjunction with stakeholders to draft guidelines outlining best practices in the use of advanced technology to assist counties in identifying all relatives, non-relatives and extended family members caring for children in foster care and for those at risk of dependency.

AB 1074 (Chu). HIV testing for foster children.
Not heard; 2 year bill.

Legislative History

Assembly Human Services (not heard)

Adds a foster parent, relative care giver or social worker to the list to individuals who can consent to allowing a foster child to have an HIV test and allows these individuals to be informed of the results of these tests.

AB 1116 (Yee). Community care facilities: foster children: injections.
Chapter 637, Statutes of 2005

Legislative History

Assembly B. & P. (10-0)

Assembly Appropriations (17-0)

Assembly Floor (72-4)

Assembly Concurrence (79-0)

Senate B., P. & E.D. (0-4) Failed passage

Senate B., P. & E.D. (6-0) Reconsideration granted

Senate B.F. & I. (withdrawn from Committee)

Senate Floor (33-0)

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AB 1116 (Yee) continued

Allows foster parents and other caretakers to administer injections and emergency medical care to foster youth when needed. Originally contained in AB 1179 (Yee).

AB 1179 (Yee). As introduced: Community care facilities: foster children: injections.
September 2, 2005 gutted and amended in Senate to a different subject; original contents placed in AB 1116 (Yee).

Legislative History

Assembly Human Services (7-0) Rec. consent
Assembly Floor (73-0)

Senate Human Services (7-0)
Senate Appropriations (S.R. 28.8)

Original contents of bill would allow foster parents to administer injections to foster youth when needed. Passed Assembly; gutted and amended in Senate on September 2, 2005 to a different subject; original contents placed in AB 1116 (Yee).

AB 1363 (Jones). As Introduced: Foster Youth Credit Guarantee Program.
As amended August 29, 2005: Public officials: financial: duties.
2 Year Bill.

Legislative History

Assembly Human Services (not heard)

As introduced, establishes the Foster Youth Credit Guarantee Program to cosign for recently emancipated foster youth entering certain credit arrangements. As amended 8/29/05, changes the reporting requirements for designated officeholders under the Political Reform Act of 1974.

AB 1412 (Leno). Dependent children: out-of-home placements.
Chapter 640, Statutes of 2005.

Legislative History

Assembly Human Services (6-0)
Assembly Judiciary (6-3)
Assembly Appropriations (13-5)
Assembly Floor (54-25)
Assembly Concurrence (55-24)

Senate Human Services (6-1)
Senate Judiciary (5-2)
Senate Appropriations (8-5)
Senate Floor (21-11)

Specifies a phased-in expansion of the requirement that county child welfare workers ask every child in foster care who is 10 years of age or older and who has been in and out of placement for six months or longer about important adult relationships, and to make efforts to support those relationships. Allows foster children aged 12 or older to review their own case plan.

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AB 1534 (Bass). Residential care for children: inspection.
Held on the Assembly Appropriations Suspense file.

Legislative History

Assembly Human Services (6-0)

Assembly Appropriations (Held on Suspense)

Requires annual unannounced visits of foster family homes small family homes and group homes.

AB 1633 (Evans). Foster children: high school: social security assistance.
Chapter 641, Statutes of 2005.

Legislative History

Assembly Human Services (6-1)

Assembly Appropriations (13-5)

Assembly Floor (52-26)

Assembly Concurrence (53-25)

Senate Human Services (6-1)

Senate Appropriations (S.R. 28.8)

Senate Floor (29-11)

Requests DSS in conjunction with stakeholders, develop best practice guidelines to assist counties in obtaining SSI/SSP benefits for foster youth. Extends eligibility for foster care benefits to 18-year olds seeking a high school equivalency degree, rather than a high school diploma as currently allowed.

ACR 58 (Parra). Foster youth.
Held on Senate inactive file.

Legislative History

Assembly Human Services (7-0)

Assembly Appropriations (18-0)

Assembly Floor (78-0)

Senate Human Services (6-1)

Senate Appropriations (S.R. 28.8)

Senate Floor (placed on inactive)

Recognizes the rights of foster youth.

AJR 10 (Chu). Foster care services: funding: Title IV-E Waiver.
Resolution Chapter 68, Statutes of 2005.

Legislative History

Assembly Human Services (7-0)

Assembly Appropriations (18-0)

Assembly Floor (72-0)

Senate Human Services (7-0)

Senate Appropriations (S.R. 28.8)

Senate Floor (33-0)

Urges the U.S. Department of Health and Human Services to approve the state's application for a waiver pursuant to Title IV-E of the Social Security Act to permit California to more effectively and efficiently use federal foster care funds through a broader interpretation of services, allowing earlier intervention while children are at home, thereby avoiding costly out-of-home placements.

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SB 202 (Simitian). As introduced: Long-term kinship care

Passed Assembly Human Services; August 18, 2005 amended in the Assembly Appropriations Committee into different subject and re-referred to the Assembly Public Safety Committee.

Legislative History

Senate Human Services (5-0)

Assembly Human Services (6-0)

Senate Appropriations (S.R. 28.8)

Senate Floor (32-2)

Allows any county to operate a long-term kinship care project without submitting plans or getting DSS approval.

SB 203 (Simitian). As proposed to be amended: Foster Care.

June 21, 2005 amended into different subject matter, withdrawn from Assembly Committee on Human Services and re-referred to Assembly Committee on Revenue and Taxation on June 23, 2005.

Legislative History

Senate Human Services (5-0)

Assembly Human Services (withdrawn)

Senate Appropriations (S.R. 28.8)

Assembly Rev. & Tax (5-2)

Senate Floor (29-7)

Assembly Appropriations (13-5)

Senate Rev. & Tax (6-0) concurrence

Assembly Floor (52-21)

Senate Concurrence (24-13)

As introduced, this bill created a county option for CalWORKs integrated case management. While in committee, amendments were submitted to create a Collaborative for Foster Care as a local option for counties, permitting operation up to 25 beds with a provider of non-detention residential services for foster youth meeting specified criteria. The bill was set for hearing and analyzed as proposed to be amended. Ultimately, those amendments did not appear in print and SB 203 was amended into a different subject, re-referred to Assembly Revenue and Taxation Committee, and not heard in this form in the Assembly Human Services Committee.

SB 358 (Scott). Child care.

Chapter 628, Statutes of 2005.

Legislative History

Senate Human Services (6-0)

Assembly Human Services (7-0)

Senate Judiciary (7-0)

Assembly Appropriations (18-0)

Senate Appropriations (S.R. 28.8)

Assembly Floor (76-0)

Senate Floor (39-0)

Senate Concurrence (40-0)

Allows foster parents to hire a short-term (less than 24 hours) babysitter or leave their foster child with a relative without having to obtain a fingerprint criminal background check clearance.

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SB 436 (Migden). Foster care: transitional housing.
Chapter 629, Statutes of 2005.

Legislative History

Senate Human Services (7-0)
Senate Appropriations (S.R. 28.8)
Senate Floor (36-0)
Senate Concurrence (38-0)

Assembly Human Services (6-0)
Assembly Appropriations (13-4)
Assembly Floor (69-10)

Requires counties with transitional housing programs to report a description of currently available transitional housing resources in relation to the number of pregnant or parenting foster youth, and requires creation of a plan to address their unmet needs.

SB 500 (Kuehl). Pregnant and parenting foster youth.
Chapter 630, Statutes of 2005

Legislative History

Senate Human Services (6-0)
Senate Judiciary (7-0)
Senate Appropriations (13-0)
Senate Floor (40-0)
Senate Concurrence (33-3)

Assembly Human Services (6-0)
Assembly Appropriations (13-4)
Assembly Floor (77-0)

Creates a "whole family foster home" licensing category as an option for foster youth who are parents and who want to live with their children in the same foster care facility. Provides that the Department of Social Services establish a new payment rate for whole foster family homes. Requires that the foster youth parent receive reunification as part of the placement with her child.

SB 679 (Simitian). Aid to Families with Dependent Children-Foster Care: group homes: definition.
Chapter 268, Statutes of 2005

Legislative History

Senate Human Services (5-0)
Senate Appropriations (S. R. 28.8)
Senate Floor (38-0)
Senate Concurrence (36-0)

Assembly Human Services (6-0)
Assembly Appropriations 13-5)
Assembly Floor (65-8)

Allows San Mateo County to continue to run a publicly-operated non-detention group home, currently operating under a waiver set to expire in 2006. As heard in and approved by the Assembly Human Services Committee, allowed any county to operate such a facility.

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SB 726 (Florez). Dependent children.
Chapter 632, Statutes of 2005.

Legislative History

Senate Human Services (5-0)
Senate Judiciary (6-1)
Senate Appropriations (11-0)
Senate Floor (38-0)
Senate Concurrence (36-0)

Assembly Human Services (7-0)
Assembly Judiciary (9-0)
Assembly Appropriations (17-0)
Assembly Floor (77-0)

Enacts Adams's Law, emphasizing and encouraging the use of a caregiver information form to be completed by a foster parent when a child is leaving their custody.

DEVELOPMENTAL DISABILITIES

AB 609 (Lieber). As amended June 13, 2005: Agnews Developmental Center: closure.
Vetoed by the Governor.

Legislative History

Assembly Judiciary (vote not relevant)
Assembly Floor (vote not relevant)
Assembly Concurrence (46-31)

Senate Human Services (6-1)
Senate Appropriations (S.R. 28.8)
Senate Floor (22-9)

Creates an advisory committee to consider issues raised by closure of Agnews, including disposition of land, similar to the proposal in AB 1379 (Lieber).

AB 1079 (Runner). State Department of Developmental Services: criminal histories.
Not heard; 2 year bill.

Legislative History

Assembly Human Services (not heard)

Requires the Department of Developmental Services to obtain criminal histories of consumers of developmental disability services prior to a community placement.

AB 1145 (Huff). Developmental disability: habilitation services.
Held on the Assembly Appropriations Suspense file.

Legislative History

Assembly Human Services (7-0)
Assembly Appropriations (Held on Suspense)

Reverses prior budget cut for vendors providing rehabilitation services for persons with disabilities through contracts with Regional Centers by reducing the ratio of Job Coach to Consumer from 1:4 to 1:3 in supported employment. Adopted in health services trailer bill, AB 131.

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AB 1378 (Lieber). Developmental services facilities.
Chapter 538, Statutes of 2005.

Legislative History

Assembly Human Services (7-0)
Assembly Appropriations (17-0)
Assembly Floor (77-1)
Assembly Concurrence (50-29)

Senate Human Services (6-1)
Senate Appropriations (S.R. 28.8)
Senate Floor (26-13)

Authorizes former staff of Agnews Developmental Center to be employed as state workers providing community-based services as part of Administration-sponsored Agnews Closure Plan.

AB 1379 (Lieber). Agnews Developmental Center; closure.
Held on the Assembly Appropriations Suspense file.

Legislative History

Assembly Human Services (4-3)
Assembly Appropriations (Held on Suspense)

Prohibits property at Agnews Development Center to be classified as surplus property absent legislative authorization. Establishes Agnews Advisory Group to decide use of Agnews Developmental Center following closure and movement of residents to community-based services.

AB 1535 (Bass). Developmental services.
Held on Senate inactive file.

Legislative History

Assembly Human Services (5-1)
Assembly Appropriations (13-5)
Assembly Floor (46-33)

Senate Human Services (4-3)
Senate Appropriations (S.R. 28.8)
Senate Floor (placed on inactive)

Requires the Department of Developmental Services to prepare or generate annual reports identifying purchase of service expenditures by race and ethnicity.

AB 1607 (Houston). Developmental disability: habilitation services.
Held on the Assembly Appropriations Suspense file.

Legislative History

Assembly Human Services (7-0) Rec. consent
Assembly Appropriations (Held on Suspense)

Increases hourly payment rates for work activity programs for persons with disabilities by 5%, and for supported employment programs by 2.5%, to levels in effect prior to reductions made in 2003-04 budget.

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AB 1645 (Matthews). Regional center services.
Not heard; 2 year bill.

Legislative History

Assembly Human Services (not heard)

Requires the Department of Developmental Services to establish permanent payments rates for community-based day programs and in-home respite agency providers who have been reimbursed under a temporary payment rate for 18 months or more, commencing July 1, 2005.

SB 418 (Escutia). Rehabilitation loans.
Chapter 549, Statutes of 2005.

Legislative History

Senate Human Services (7-0) Rec. Consent
Senate Appropriations (S.R. 28.8)
Senate Floor (39-0)
Senate Concurrence (40-0)

Assembly Human Services (7-0)
Assembly Appropriations (13-0)
Assembly Floor (59-19)

Consolidates and removes barriers to two loan guarantee programs which help disabled people modify vans and purchase assistive devices.

- Eliminates the requirement that persons with disabilities must be employed, found ineligible for vocational rehabilitation services, or be on a waiting list for services to be eligible for the loan guarantee program.
- Increases the cap on vehicle modification loans from \$35,000 to \$50,000.
- Authorizes Department of Rehabilitation Services to seek federal funding and contract with a community-based, non-profit organization to administer the loan program if necessary to receive federal grant money.

SB 481 (Chesbro). Self-Directed Services Program.
Not heard; 2 year bill.

Legislative History

Senate Human Services (7-0)
Senate Appropriations (12-1)
Senate Floor (38-1)

Assembly Human Services (not heard)

Creates a statewide Self-Directed Services Program, expanding the self-determination pilot project, to help Regional Center clients with developmental disabilities and their families control the decisions and resources required to meet the person's individual program plan.

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SB 962 (Chesbro). Adult Residential Facility for Persons with Special Health Care Needs: pilot project.
Chapter 558, Statutes of 2005.

Legislative History

Senate Human Services (7-0)
Senate Appropriations (8-5)
Senate Floor (27-11)
Senate Concurrence (27-12)

Assembly Human Services (5-1)
Assembly Appropriations (13-4)
Assembly Floor (52-26)

Establishes a new licensing category of Adult Residential Facility for Persons with Special Health Care Needs (ARFPSHNs), jointly administered by the Department of Social Services and the Department of Developmental Services jointly to provide 24-hour services to up to five adults with developmental disabilities who have special health care and intensive support needs, as a pilot project for up to 120 current residents of Agnews Developmental Center.

- Provides that DDS and DSS enter into a joint memorandum of understanding outlining shared licensing, monitoring, complaint investigation and administrative responsibilities.
- Provides for staffing and training requirements for ARFPSHNs.
- Limits program implement to three Regional Centers in the Bay Area.
- Sunsets the pilot project for the ARFPSHNs on January 1, 2010.

CHILD CARE

AB 122 (Spitzer). Family day care.
Held on the Assembly Appropriations Suspense file.

Legislative History

Assembly Human Services (7-0)
Assembly Appropriations (Held on suspense)

Seeks to enforce existing rules regarding liability insurance coverage by family day care providers.

- Requires annual submission by licensed family day care providers of verification of insurance coverage or parental affidavits permitting non-retention of insurance.
- Documents must be submitted under penalty of perjury.

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AB 788 (Montañez). Licensed family day care providers; Family Child Care Career Ladder pilot project.

Held on the Assembly Appropriations Suspense file.

Legislative History

Assembly Human Services (5-2)

Assembly Appropriations (Held on Suspense)

Creates a three-year pilot project in three community college districts for continuing training and education of licensed family day care providers.

- The programs shall:
 - offer classes leading to a degree, certificate or permit, evening and weekend classes,
 - assist limited-English proficient students to access early child education, child development and general education courses, and
 - provide students assistance with tuition or fees, books, child care and transportation.
- Provides that the program not become effective until the Superintendent of Public Instruction certifies that sufficient funding has become available.

AB 1285 (Montañez). Child care services.

Chapter 650, Statutes of 2005.

Legislative History

Assembly Human Services (6-1)

Assembly Appropriations (13-5)

Assembly Floor (56-22)

Assembly Concurrence (51-28)

Senate Human Services (6-1)

Senate Appropriations (8-5)

Senate Floor (26-13)

Allows L.A. County to provide services to family day care providers and centers which do not currently have contracts with the State Department of Education from its share of the 2004-05 and 2005-06 Department of Education (DOE) budget appropriation allocated for recruitment and retention programs.

AB 1565 (Pavley). Child day care facilities: star quality rating system: study.

Vetoed by the Governor.

Legislative History

Assembly Human Services (6-0)

Assembly Rules (8-0)

Assembly Appropriations (15-1)

Assembly Floor (54-21)

Assembly Concurrence (66-12)

Senate Education (9-0)

Senate Human Services (6-1)

Senate Appropriations (7-5)

Senate Floor (27-12)

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AB 1565 (Pavley) continued

Authorizes a study funded by \$1.5 million in federal "quality improvement" funds to develop a quality rating system for day care facilities in California.

AB 1601 (Laird). Child care: provider registration: background checks.
Failed passage in Senate Human Services, reconsideration granted.
2-year bill.

Legislative History

Assembly Human Services (6-1)
Assembly Appropriations (18-0)
Assembly Floor (67-11)

Senate Education (amended and withdrawn)
Senate Human Services (3-2) failed passage
Senate Human Services (6-0) recon .granted

Enhances background check rules for license-exempt subsidized child care providers.

- Requires aunts and uncles providing license-exempt child care to register with TrustLine background check system;
- Shortens time to get fingerprinted from 28 to 14 days, with a 14-day extension for good cause;
- Prohibits payment once the Department of Justice finds a criminal history not subject to a simplified exemption.

AB 1697 (Pavley). Day care centers licensure: location.
Held on the Assembly Appropriations Suspense file.

Legislative History

Assembly Human Services (5-1)
Assembly Appropriations (Held on Suspense)

Prohibits child care centers from locating near highways or industrial sites to minimize children's expose to air pollution.

- Requires DSS to deny a license to a child care center if it is within 650 feet of a high traffic roadway or industrial site, as defined, with exceptions for facilities operating or under construction on the effective date of the act, or who change ownership thereafter.

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**SB 539 (Ashburn). Child day care: CalWORKs child care program.
Failed passage, reconsideration granted; 2 year bill.**

Legislative History

Senate Human Services (4-0)
Senate Appropriations (S.R. 28.8)
Senate Floor (36-0)

Assembly Human Services (2-4) failed passage
Assembly Human Services (7-0) recon. granted

Requires completed background clearance of license-exempt child care providers before payment under Stage 1 CalWORKs or Department of Education subsidized program can be made.

**SB 640 (Escutia). Child care resource and referral programs: funding.
Chapter 379, Statutes of 2005.**

Legislative History

Senate Education (8-0)
Senate Appropriations (9-4)
Senate Floor (27-13)
Senate Concurrence (28-12)

Assembly Human Services (5-0)
Assembly Appropriations (16-0)
Assembly Floor (60-19)

Appropriates \$5 million of the total \$12.8 million in federal child care quality funds to provide training and support to increase the capacity of child care providers to serve children with disabilities in settings that meet their developmental needs.

- Delineates the purposes to include provision of child care referrals, technical and training assistance, awareness and outreach to providers and parents.
- Requires the State Department of Education to develop an allocation plan to distribute the funds.

**SB 701 (Migden). Child care subsidies: City and County of San Francisco: pilot project.
Chapter 725, Statutes of 2005**

Legislative History

Senate Human Services (6-0)
Senate Appropriations (S. R. 28.8)
Senate Floor (36-1)
Senate Rules (3-2)
Senate Concurrence (28-2)

Assembly Human Services (6-0)
Assembly Appropriations (16-0) rec. consent
Assembly Floor (re-referred to HS & Approps.)
Assembly Human Services (5-0)
Assembly Appropriations (12-4)
Assembly Floor (58-20)

Creates a child care subsidy pilot project in San Francisco modeled on AB 1326 (Simitian) of 2003, permitting specified flexibility in eligibility and rates to better reflect local conditions. Preserves State 2 CalWORKs child care eligibility, requires that Stage 3 families be treated as other families receiving subsidized care, and maintains existing family fee schedule for currently eligible families.

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SB 701 (Migden) continued

Originally authored by Simitian, and increased from 1 to 2 the number of referrals to child care providers not under the control of the resource and referral agency out of a total of 4 required referrals. Gutted and amended on the Assembly floor into current version.

CalWORKs

AB 233 (Haynes). CalWORKs: eligibility.
Failed passage, reconsideration granted. 2-year bill.

Legislative History

Assembly Human Services (3-4) failed passage
Assembly Human Services (6-0) recon. granted

Disqualifies a person with a felony conviction for designated child abuse or sex crime from CalWORKs, with exceptions for those in compliance with probation or parole or who are actively engaged in counseling.

AB 269 (Haynes). CalWORKs: sanctions.
Not heard; 2 year bill.

Legislative History

Assembly Human Services (not heard)

Replaces existing CalWORKs sanction procedures, in which aid on behalf of children continues during a sanction, and requires termination of all cash payments if a failure to comply is total and persists for at least two consecutive months until the individual resumes compliance.

AB 368 (Evans). CalWORKs.
Not heard in Senate Human Services; 2 year bill.

Legislative History

Assembly Human Services (6-0)	Senate Human Services (not heard)
Assembly Appropriations (13-5)	
Assembly Floor (54-23)	

Vehicle to implement TANF reauthorization.

- States principles to guide legislature in implementation of TANF reauthorization: compliance with federal work rates, avoidance of penalties, access to varied welfare-to-work services, preservation of a safety net for children, child care during transition after leaving aid.
- Awaits enactment of federal legislation reauthorizing TANF block grant, likely to be passed fall 2005.

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AB 379 (Evans). As introduced: CalWORKs. As amended on August 23, 2005: Insurers: health care service plans. Discrimination.
Held in Senate Rules Committee.

Legislative History

Assembly Human Services (5-0)
Assembly Appropriations (13-0)
Assembly Floor (49-30)

Senate Human Services (5-2)
Senate Appropriations (S.R. 28.8)
Senate Rules (Held in Committee)

Clarifies a section of SB 1104 of 2004, the social services trailer bill.

- Counts welfare-to-work activities such as mental health, domestic violence and education leading to employment toward the 20 hour "core" work requirement, even if a participant is also engaged in other "non-core" hours (e.g., family reunification, vocational education and training for more than 12 months, etc.).
- Similar provision incorporated in human services budget trailer bill, SB 68 (Committee on Budget and Fiscal Review), Chapter 78, Statutes of 2005. Original bill amended into a different subject matter.

AB 503 (Lieber). CalWORKs: bill of rights.
Held on the Assembly Appropriations Suspense file.

Legislative History

Assembly Human Services (5-2)
Assembly Appropriations (Held on Suspense)

Omnibus CalWORKs bill.

- Requires Department of Social Services to conduct feasibility study of adding exceptions to 60-month time limit for those who are complying with work requirements through employment or education.
- Requires development of bill of rights pamphlet for CalWORKs recipients.
- Requires that recipients of aid be provided with name and telephone number of caseworkers and supervisors.
- Adds exceptions to 60-month time limit for those not receiving welfare-to-work support services, information in native language, or accommodation for mental or physical disability.

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**AB 855 (Bass). CalWORKs.
Vetoed by the Governor.**

Legislative History

Assembly Human Services (4-2)
Assembly Appropriations (13-5)
Assembly Floor (44-35)

Senate Human Services (4-2)
Senate Appropriations (7-5)
Senate Floor (22-15)

Creates exceptions to lifetime ban on CalWORKs for persons convicted of a felony involving the use or possession of a controlled substance.

- Eligibility available to those who have completed, are participating or enrolled in a government-recognized drug treatment program, are on waiting list for treatment, or who can demonstrate that drug use has ceased.
- Conforms to last year's AB 1796 (Leno), which adopted exceptions for food stamps

**SB 188 (Simitian). CalWORKs eligibility: income: California National Guard earnings and payments.
Vetoed by the Governor.**

Legislative History

Senate Human Services (6-0)
Senate Appropriations (13-0)
Senate Floor (4-0)
Senate Concurrence (39-1)

Assembly Human Services (6-1)
Assembly Appropriations (13-4)
Assembly Floor (74-5)

Excludes income of active National Guard personnel from consideration in determining CalWORKs eligibility and benefits of a family receiving such income, unless the combined income of the family and the National Guard member does not exceed 150% of the federal poverty level.

**SB 493 (Kuehl). Cal-Learn Program: schoolage teens.
Held on the Assembly Appropriations Suspense file.**

Legislative History

Senate Human Services (5-0)
Senate Appropriations (8-5)
Senate Floor (27-13)

Assembly Human Services (5-1)
Assembly Appropriations (Held on Suspense)

Authorizes three months of transitional CalWORKs for minor teen parents not meeting specified residency and schooling conditions.

- Permits transitional eligibility for minor teens who do not meet the requirement that they live with a parent or adult or prove eligibility for an exception (e.g., danger to safety, absence of any available adult).

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SB 493 (Kuehl) continued

- Permits transitional eligibility to teen parents under 19 who are not attending school full-time or eligible for an exemption.
- Requires case management and support services to help teen establish residential and educational stability and meet the program's requirements during the transitional period.
- Excludes eligible teens from qualifying for Cal-Learn bonuses for educational attainment during transition period.

IN-HOME SUPPORTIVE SERVICES

AB 472 (Benoit). Elder and disabled abuse.
Held on the Assembly Appropriations Suspense file.

Legislative History

Assembly Human Services (6-1)

Assembly Appropriations (Held on Suspense)

Authorizes Public Authorities and non-profit consortia providing IHSS services to include criminal background checks conducted by the Department of Justice (DOJ) when investigating qualifications of potential IHSS employees.

- Prohibits IHSS workers or consumers from being charged a fee to cover the administrative costs of processing the background checks.
- Allows DOJ to assess a fee pursuant to existing law to cover the costs of furnishing summary criminal information.

AB 477 (Baca). In-home supportive services pilot project.
Vetoed by the Governor.

Legislative History

Assembly Human Services (6-1)

Assembly P. E., R. & S.S. (4-2)

Assembly Appropriations (13-5)

Assembly Floor (53-26)

Assembly Concurrence (46-32)

Senate Human Services (5-2)

Senate Appropriations (8-5)

Senate Floor (22-16)

As heard in Assembly Human Services Committee, allowed IHSS employers to purchase health insurance for employees through Public Employees Medical & Hospital Care Act.

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AB 477 (Baca) continued

- As amended in Senate, establishes a pilot project to authorize certain individuals with incomes above existing eligibility limits to purchase in-home supportive services from Public Authorities, as also contained in AB 652 (Levine).

**AB 652 (Levine). In-home supportive services program: pilot project.
Held on the Assembly Appropriations Suspense file**

Legislative History

May 4, 2005: Amend and re-refer to Human Services (4-0)
Assembly Human Services (5-2)
Assembly Appropriations (Held on Suspense)

Establishes a pilot project to authorize certain individuals with incomes above existing eligibility limits to purchase in-home supportive services from Public Authorities. Later amended into AB 477 (Baca).

**AB 899 (Ridley-Thomas). In-home supportive services (IHSS).
Vetoed by the Governor.**

Legislative History

Assembly Human Services (6-1)	Senate Human Services (6-1)
Assembly Appropriations (13-5)	Senate Appropriations (8-3)
Assembly Floor (54-23)	Senate Floor (24-11)
Assembly Concurrence (52-26)	

Authorizes paid training of IHSS workers for up to six hours of instruction per year if under the supervision of a registered nurse, licensed vocational nurse, a certified nurse assistant, or a professional social worker, and the hours of training are not counted against the assessed hours for a recipient of services.

**AB 1242 (Arambula). In-home supportive services: provider timesheets.
Not heard; 2 year bill.**

Legislative History

Assembly Human Services (not heard)

Requires the State Department of Social Services to develop and distribute to counties a standardized provider timesheet and daily log to be verified by the provider of IHSS services under penalty of perjury.

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**AB 1326 (Vargas). In-home supportive services (IHSS).
Held on Senate inactive file.**

Legislative History

Assembly Human Services (6-0)
Assembly Floor (61-10)

Senate Human Services (6-1)
Senate Floor (placed on inactive)

Grants IHSS recipients the same right to choose a provider as they currently have through a contract or managed care provider when services are provided as part of a long-term care integration pilot project, such as is proposed as part of the Administration's Medi-Cal Redesign. Also extends date for development of IHSS Hourly Task Force guidelines by six months, to Dec. 31, 2006.

**AB 1538 (Bass). In-home supportive service (IHSS): provider wages and benefits.
Not heard; 2 year bill.**

Legislative History

Assembly Human Services (not heard)

Requires IHSS wages and benefits to be the same for enrolled and un-enrolled providers. Intended to be vehicle to address IHSS quality control and fraud.
Held in committee; 2-year bill.

**AB 1653 (Haynes). In-home Supportive Services (IHSS) program: provider wage and benefit increases.
Heard, no vote taken; 2 year bill.**

Legislative History

Assembly Human Services (heard, no vote taken)

Administration 2005-06 IHSS budget proposal:

- Reduces cap on state contribution of IHSS wages from current \$10.10 per hour (potentially up to \$12.10 in future) to the minimum wage (\$6.75/hour).
- State contribution is 65% of non-federal share of IHSS wages and benefits.

COMMUNITY CARE LICENSING

**AB 617 (Benoit). Child day care facilities: rating system.
Held on the Assembly Appropriations Suspense file.**

Legislative History

Assembly Human Services (6-0)
Assembly Rules (7-0)
Assembly Appropriations (Held on Suspense)

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AB 617 (Benoit) continued

As introduced, created a grading system for child care facilities based on the number of violations given by CCL. Amended to state legislative intent to adopt rating system to be posted.

**AB 633 (Benoit). Child day care facilities: licensing.
Held on the Assembly Appropriations Suspense file.**

Legislative History

Assembly Human Services (6-0)

Assembly Appropriations (Held on Suspense)

Requires child care facilities to post and provide to parents additional documents regarding any violations or accusations of noncompliance with licensing requirements.

**AB 811 (Matthews). California Health and Human Services agency: licensing and certification functions: consolidation.
Held on the Assembly Appropriations Suspense file**

Legislative History

Assembly Health (14-0)

Assembly Human Services (7-0)

Assembly Appropriations (Held on Suspense)

Requires the state Health and Human Services Agency to review the consolidation of licensing and certification responsibilities.

**AB 812 (Matthews). Health and Human Services Agency: employment: consolidation.
Not heard in Assembly Appropriations; 2 year bill.**

Legislative History

Assembly Human Services (6-0)

Assembly Appropriations (not heard)

Requires all state health and human services related licensing and certification functions to be performed under a single authority.

**AB 1408 (S. Horton). Residential care facilities: overconcentration.
Held on the Assembly Appropriations Suspense file.**

Legislative History

Assembly Human Services (5-2)

Assembly Appropriations (Held on Suspense)

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AB 1408 (S. Horton) continued

Defines "overconcentration" of designated residential care facilities to mean separation of at least 1,000 feet rather than current 300 feet for the purpose of existing law permitting cities and counties to request that the Community Care Licensing Division of the Department of Social Services deny a application for a license for a new residential care facility which would result in an overconcentration.

AB 1774 (Committee on Human Services). Child welfare services: criminal record checks. Not heard in Senate Human Services; 2 year bill.

Legislative History

Assembly Human Services (6-0)
Assembly Appropriations (16-0)
Assembly Floor (78-0)

Senate Human Services (not heard)

Technical clean-up legislation regarding the California Law Enforcement Telecommunications System (CLETS) fingerprint requirement.

CARE AND SERVICES FOR THE ELDERLY

AB 179 (Bermudez). Residential care facilities for the elderly: elder abuse information. Chapter 456, Statutes of 2005.

Legislative History

Assembly Human Services (6-0)
Assembly Aging & L.T.C (4-0)
Assembly Appropriations (17-0) rec. consent
Assembly Floor (77-0)

Senate Human Services (7-0)
Senate Appropriations (13-0)
Senate Floor (35-0)

Requires that residents of Residential Care Facilities for the Elderly be provided with information detailing the procedures for reporting elder abuse.

AB 300 (Walters). Residential care facilities for the elderly adult residential facilities, and group home facilities: licensing. Chapter 423, Statutes of 2005.

Legislative History

Assembly Human Services (7-0) rec. consent
Assembly Aging & L.T.C. (5-0)
Assembly Appropriations (18-0) rec. consent
Assembly Floor (74-0)
Assembly Concurrence (79-0)

Senate Human Services (7-0) rec. consent
Senate Appropriations (S.R. 28.8)
Senate Floor (39-0)

Clarifies that the State Department of Social Services, and not the Department of Consumer Affairs, has responsibility for supervising and administering training and certification of administrators and employees of group homes and Residential Care Facilities for the Elderly (RCFE).

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SB 141 (Soto). Residential care facilities: preadmission fee refunds.
Chapter 250, Statutes of 2005.

Legislative History

Senate Human Services (4-1)
Senate Appropriations (S.R. 28.8)
Senate Floor (23-14)
Senate Concurrence (22-13)

Assembly Human Services (6-0)
Assembly Appropriations (15-1)
Assembly Floor (58-17)

Requires total or partial refund of preadmission fees in Residential Care Facilities for the Elderly if a person does not enter or stays for three or fewer months.

- Provides for full refund if a person does not enter the facility and no preadmission appraisal is conducted, or if the RCFE fails to provide full written disclosure of the preadmission fee charges and refund conditions.
- Provides for a refund of 80% of the fee in excess of \$500 if the person does not enter and a preadmission appraisal is conducted, and 40-80% of the fee in excess of \$500 depending upon whether the resident leaves in the first, second or third month of residency.

SB 244 (Romero). Continuing care retirement communities.
Chapter 454, Statutes of 2005.

Legislative History

Senate Human Services (4-2)
Senate Appropriations (8-5)
Senate Floor (21-14)
Senate Concurrence (23-15)

Assembly Human Services (5-0)
Assembly Appropriations (13-4)
Assembly Floor (53-24)

Establishes additional rights for residents of continuing care retirement communities (CCRCs) and creates new procedures governing transfer of a resident from one level of care to another.

- Gives residents the right to manage their own affairs, participate freely in independent resident organizations, make voluntary contributions and purchase financial products which are not conditions of entry or services.
- Requires CCRCs to prominently post notice of rights of residents and means of redressing violations.
- Repeals management's unilateral authority to transfer residents from one level of care to another.
- Establishes a process of resolving disputes involving transfers, including referral to an informal care conference and ultimate appeal to the Continuing Care Contracts Branch of the Department of Social Services.

HUMAN SERVICES ADMINISTRATION

**AB 1298 (Evans). Health and human services.
Held on the Senate Appropriations Suspense file.**

Legislative History

Assembly Human Services (5-0)
Assembly Appropriations (13-5)
Assembly Floor (47-32)

Senate Human Services (7-0)
Senate Appropriations (Held on Suspense)

Creates working group of affected agencies and stakeholders to develop recommendations to simplify, align and consolidate public benefit rules and procedures.

- In part responds to recommendations of California Performance Review (CPR).
- Working group also charged with maximizing technological advancement and internet-based application systems to reduce administrative costs and improve customer service.
- Includes CalWORKs, food stamps, Medi-Cal, Healthy Families, child care, WIC and child support among programs to be addressed.
- Report to Legislature required by April 1, 2007.

**SB 13 (Bowen). Personal information.
Chapter 241, Statutes of 2005.**

Legislative History

Senate Judiciary (3-2) failed passage
Senate Judiciary (6-0) recon. granted
Senate Judiciary (5-1)
Senate Appropriations (7-2)
Senate Floor (31-4)
Senate Concurrence (32-3)

Assembly Judiciary (9-0)
Assembly Human Services (7-0)
Assembly Appropriations (18-0)
Assembly Floor (75-0)

Permits disclosure of personal information by a state agency to the University of California or nonprofit researchers unless approved by the Committee for the Protection of Human Subjects (CPHS) of the California Health and Human Services (CHHS) Agency.

- Requires CPHS to approve projects only if the researcher provides a plan sufficient to protect personal information from improper use and disclosure, and to destroy or return personal information as soon as it is no longer needed.

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SB 13 (Bowen) continued

- Requires the CPHS to determine whether the personal information is needed, permit access only to the minimum necessary extent, require assignment of unique subject codes not derived from personal information if the research can be conducted without social security numbers, and require the agency to conduct a portion of the data processing for the researcher to minimize the release of personal information if cost and technical expertise permit.
- Permits the cost to the agency associated with agency's process of protecting personal information to be billed to the researcher.

SB 201 (Simitian). Inventory of state plans, cooperative agreements, and contracts with the federal government.

Not heard in Assembly Appropriations Committee; 2 year bill.

Legislative History

Senate Human Services (5-0)
Senate Appropriations (S.R. 28.8)
Senate Floor (25-10)

Assembly Human Services (5-0)
Assembly Appropriations (not heard)

Requires DSS to provide annual inventory of existing and proposed cooperative agreements, contracts and program plans with the federal government.

SB 203 (Simitian). As introduced: Welfare to work.

As amended June 21, 2005: Transactions and use taxes County of San Mateo: parks and recreation.

Chapter 682, Statutes of 2005

Legislative History

Senate Human Services (5-0)
Senate Appropriations (S.R. 28.8)
Senate Floor (29-7)
Senate Rev. & Tax (6-0) concurrence
Senate Concurrence (24-13)

Assembly Human Services (withdrawn)
Assembly Rev. & Tax (5-2)
Assembly Appropriations (13-5)
Assembly Floor (52-21)

As introduced: Allows any county to operate an integrated CalWORKs case management and share information among agencies notwithstanding existing consumer confidentiality protections.

- Based upon pilot projects in three counties which expired in 2003.
- Original counties operated without using added authority to share confidential information.

SB 203 (Simitian) continued

Bill was amended into statewide foster care collaborative (see above), then amended into different subject matter before being heard.

Amended into unrelated subject matter, referred to Assembly Revenue and Taxation Committee.

FOOD ASSISTANCE

**AB 696 (Chu). Public social services: CalWORKs and Food Stamp Program.
Vetoed by the Governor.**

Legislative History

Assembly Human Services (5-1)
Assembly Appropriations (13-5)
Assembly Floor (47-32)
Assembly Concurrence (46-32)

Senate Human Services (5-2)
Senate Appropriations (7-5)
Senate Floor (25-15)

Repealed fingerprinting for food stamp applicants and recipients who do not seek cash aid. Originally heard in Assembly Human Services as an omnibus anti-hunger/food stamp bill also containing semiannual reporting, categorical eligibility, waiver of 3-month food stamp limit on childless adults.

**AB 1541 (Chavez). WIC nutrition vendors.
Not heard; 2 year bill.**

Legislative History

Assembly Human Services (not heard)

Establishes a system pricing system for food items sold by vendors whose revenue mostly derives from the Supplemental Nutrition Program for Women, Infants and Children (WIC).

- Requires the Department of Health Services to establish a system of "peer groups" based upon the number of cash registers operating in a store to permit comparison of vendors who sell mostly WIC items ("WIC-only" vendors) with commercial retailers.
- Provides that the maximum reimbursement for WIC food items redeemed by WIC-only vendors is the average price for the same item sold by commercial retail vendors in the same register grouping.
- Allows WIC-only vendors to provide incentive items for services, including transportation, play areas for children and aid in the selection of food items.

As introduced, bill dealt with different subject, and was referred to Assembly Business and Profession Committee. Gutted and amended on April 18, referred to Human Services on April 25, too late for consideration at April 26 deadline hearing.

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**AB 1593 (Coto). Child nutrition.
Vetoed by the Governor.**

Legislative History

Assembly Human Services (7-0)
Assembly Appropriations (18-0)
Assembly Floor (75-0)

Senate Health (10-0)
Senate Appropriations (8-5)
Senate Floor (22-13)

Defines "pattern" of vendor abuse in Supplemental Nutrition Program for Women, Infants and Children (WIC) to exclude a single instance of abuse, consistent with recent federal WIC reauthorization legislation and guidance.

REFUGEE SERVICES

**SB 112 (Ortiz). Refugee social services.
Chapter 492, Statutes of 2005.**

Legislative History

Senate Human Services (3-1) failed passage
Senate Human Services (5-0) recon. granted
Senate Human services (5-1)
Senate Appropriations (S.R. 28.8)
Senate Floor (22-14)
Senate Concurrence (36-4)

Assembly Human Services (7-0)
Assembly Appropriations (17-0)
Assembly Floor (79-0)

Alters formula for distributing \$6 million in refugee employment social services (RESS) funds among counties, giving greater consideration to arrivals receiving aid during their first two years in the U.S.

- Assigns a weight of 1.5 for aided refugees residing in the U.S. one year or less, 1.25 for those residing one to two years, and 1.0 for those two to five years.
- Provides that federally targeted refugee assistance continue to be allocated in the same way as allocated by the federal government, based upon refugee arrivals in the most recent five years in proportion to total county population.

**AB 842 (Arambula). Federal refugee cash assistance funds: county transfers.
Not heard; 2 year bill.**

Legislative History

Assembly Human Services (not heard)

Requires that if a refugee receiving cash assistance from a county under the federal Refugee Act of 1980 moves to another county eligible to receive those funds, the county from which the refugee moves shall transfer a proportionate share of those funds to the receiving county.

GENERAL ASSISTANCE

AB 943 (Keene). Aid to indigents.
Not heard; 2 year bill.

Legislative History

Assembly Human Services (not heard)

Authorizes a county board of supervisors, rather than the Commission on State Mandates, to make a finding of significant financial distress permitting reduction of the level of county general assistance below the existing statutory standard.

- Requires that to make a finding of significant financial distress, the county board of supervisors must review evidence of budget conditions, make a compelling case by clear and convincing evidence that basic county services cannot be maintained absent the finding, make a reasonable effort to identify alternatives and determine that the proposed reduction is less than the sum of financial needs of the county to maintain basic services.
- The existing general assistance standard is 62% of the 1991 poverty level, adjusted annually since 1991 by the change in the maximum aid payment provided to recipients of CalWORKs.

2005 Assembly Human Services bills

<u>Subject</u>	<u>Referred</u>	<u>Analyzed</u>	<u>Heard</u>	<u>Passed HS</u>	<u>Enrolled</u>	<u>Chaptered</u>	<u>Vetoed</u>
Child welfare/ Foster Care	20	18*	17	16	12	11	1
Developmental disabilities	11	8	7	7	4	3	1
Child care	9	10*	9	8	4	3	1
CalWORKs	8	7	7	6	2	0	2
IHSS	8	8*	6	5	2	0	2
Community Care Licensing	6	6	6	6	0	0	0
Care and Services for the elderly	4	4	4	4	4	4	0
Human services administration	4	4*	3	3	1	1	0
Food assistance	3	3	2	2	2	0	2
Refugee services	2	1	1	1	1	1	0
General assistance	1	0	0	0	0	0	0
TOTAL	76	69*	62	58	32	23	9

*Some bills received two analyses when the subject matter changed. SB 203 (Simitian), SB 701 (Simitian/Migden) and AB 477 (Baca) each appeared in two different versions, and were separately considered by the Committee. The bill number counts each as one bill referral, but more than one analysis.